

PTO/SB/24 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | |
|---|--|---|--|
| EXPRESS ABANDONMENT UNDER 37 CFR 1.138 | | Docket Number (Optional) JUVE-003 | |
| To: Assistant Commissioner for Patents Washington, DC 20231 | In re Application of Hamilton | | |
| | Application Number 09/770,333 | Filed 1/25/01 | |
| | For NUTRITIONAL SUPPLEMENTS FOR MATURE PETS | | |
| | Art Unit 1614 | Examiner Kwon | |

Please check only one of boxes 1-3 below:
(If no box is checked, this paper will be treated as a request for express abandonment as of the filing date of this paper.)

1. ☒ **Express Abandonment**
I request that the above-identified application be expressly abandoned as of the filing date of this paper.

2. ☐ **Express Abandonment in Favor of a Continuing Application**
I request that the above-identified application be expressly abandoned as of the filing date accorded the continuing application filed herewith.

3. ☐ **Petition for Express Abandonment to Avoid Publication under 37 CFR 1.138(c)**
I hereby petition to expressly abandon the above-identified application to avoid publication.

NOTE: The application will be published in regular course unless the petition is recognized by the Pre-Grant Publication Division in sufficient time to avoid publication (e.g., more than four (4) weeks prior to the projected publication date).

Petition Fee - must be filed with petition to avoid delays in recognizing the petition.

a. ☐ The Commissioner is hereby authorized to charge the petition fee under 37 CFR 1.17(h) to Deposit Account No. _____

b. ☐ Check in the amount of \$ _____ is enclosed.

c. ☐ Payment by credit card (Form PTO-2038 is enclosed).

Fax the petition directly to the Pre-Grant Publication Division at (703) 305-8568 or Mail the petition to the above address directed to **Box PGPub-ABD**.

NOTE: A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes the paper. See MPEP 711.01. In addition, the paper will not stop publication of the application unless a petition under 37 CFR 1.138(c) is recognized by the Pre-Grant Publication Division in sufficient time to avoid publication.

I am the: ☐ applicant.
☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
☒ attorney or agent of record.
☐ attorney or agent acting under 37 CFR 1.34(a) (may act only if box 2 above, stating that the application is expressly abandoned in favor of a continuing application, is checked). Attorney or agent registration number if acting under 37 CFR 1.34(a): 33,954
(Attorney or agent registration number)

Barbara J. Luther 8/12/02
Signature Date
Barbara J. Luther
Typed or printed name

* Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

#9
JRP
8/19/02

P.O. Box 6149
295 Highway 60, Suite 20
Stateline, NV 89449
Voice: (775) 586-9500
Fax: (775) 586-9560

Sierra Patent Group

| | | | |
|---------------|----------------------------|---------------|-------------|
| To: | EXAMINER BRIAN KWON | From: | Barb Luther |
| Fax: | 1-703-746-5026 | Pages: | 2 |
| Phone: | 1-703-308-5377 | Date: | 8/12/02 |
| Re: | EXPRESS ABANDONMENT | CC: | |

Please review and confirm receipt of fax transmittal

THIS COMMUNICATION IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT THE UNAUTHORIZED DISSEMINATION OR USE OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US WITHOUT RETAINING ANY COPIES.

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I Hereby Certify That This Correspondence Is Being Facsimile Transmitted To The United States Patent And Trademark Office On AUGUST 12, 2002.

Barbara J. Luther

BARBARA J. LUTHER